

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROGER J. GOSSELIN, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

FIRST TRUST ADVISORS L.P., FIRST TRUST
PORTFOLIOS L.P., FIRST TRUST
STRATEGIC HIGH INCOME FUND, FIRST
TRUST STRATEGIC HIGH INCOME FUND II,
FIRST TRUST STRATEGIC HIGH INCOME
FUND III, JAMES A. BOWEN, and MARK R.
BRADLEY,

Defendants.

Case Number: 08-cv-05213

Honorable Samuel Der-Yeghiayan

DEFENDANTS' MOTION TO DISMISS THE CONSOLIDATED COMPLAINT

Defendants First Trust Advisors L.P., First Trust Portfolios L.P., First Trust Strategic High Income Fund, First Trust Strategic High Income Fund II, First Trust Strategic High Income Fund III, James A. Bowen, and Mark R. Bradley (collectively, "Defendants") respectfully move to dismiss Plaintiff's Consolidated Complaint, in its entirety and with prejudice, pursuant to Rules 8(a), 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4. In support of this motion to dismiss, Defendants rely on the accompanying memorandum of law.

REQUEST FOR ORAL ARGUMENT

Defendants request oral argument at a date and time to be set by this Court.

Dated: July 29, 2009
Chicago, IL

Respectfully submitted,

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/s/ Steven R. Smith

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High Income Fund, First Trust Strategic High
Income Fund II, First Trust Strategic High Income
Fund III, James A. Bowen, and Mark R. Bradley*

CERTIFICATE OF SERVICE

I, Steven R. Smith, an attorney, certify that I caused a copy of the foregoing Defendants' Motion to Dismiss the Consolidated Complaint to be served upon all counsel of record via the Court's CM/ECF system on this 29th day of July, 2009:

/s/ Steven R. Smith
Steven R. Smith